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RUEKJCS/SECDEF WASHDC IMMEDIATE

UNCLAS SECTION 01 OF 02 MANILA 000289

SENSITIVE  
SIPDIS

E.O. 12958: N/A  
TAGS: [PGOV](#) [PHUM](#) [PTER](#) [MOPS](#) [RP](#)  
SUBJECT: GOVERNMENT DETAINS 43 IN CONTROVERSIAL RAID

¶1. (SBU) SUMMARY: In a joint February 6 operation, Philippine police and military personnel in Rizal Province arrested and detained 43 people with alleged ties to the terrorist New People's Army. The accused maintain they are medical workers who were tortured by military forces after their wrongful arrest. The Philippine Commission on Human Rights (CHR) is investigating allegations of human rights violations. Embassy officers, through inquiries about the arrests, have signaled concern for due process and human rights as the investigation continues. END SUMMARY.

#### CHARGES FILED

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¶2. (SBU) On February 6, soldiers from the Philippine Armed Forces (AFP) and Philippine National Police (PNP) arrested 43 suspected communist guerrillas at a guesthouse in Morong, Rizal Province. The military states all 43 are members of the New Peoples' Army (NPA), the military arm of the Communist Party of the Philippines (CPP), and that they were being trained in the fabrication and employment of improvised explosive devices, in addition to medical training. Weapons and ammunition reportedly seized in the raid include several pistols, 300 grenades, 2 Claymore mines, 10 to 12 improvised explosive devices, ammonium nitrate, blasting caps, and other materials used in the manufacture of improvised explosive devices. (Note: The NPA, designated a terrorist organization by the Philippine government, United States, and European Union, continues to conduct violent attacks, bombings, and kidnapping-for-ransom throughout the Philippines.) Firearms and explosives charges were filed against the 43 suspects on February 11.

¶3. (SBU) The suspects, their families, and human rights NGOs state that those detained are volunteer medical workers who have been arbitrarily and illegally arrested and afterwards maltreated by security forces. In media interviews, family members state the accused were attending a medical training seminar designed to improve their work in rural and impoverished communities. Human rights NGOs claim the suspects were arrested at gunpoint, held incommunicado, handcuffed and blindfolded, deprived of sleep and food, and denied access to legal counsel while undergoing interrogations. (Note: Widely publicized reports that at least one detainee was sexually abused were later denied by the detainee in statements to the press. End Note.) Spokespersons for the group claim the seized weapons and explosives were planted by military forces during the raid.

#### MULTIPLE INVESTIGATIONS

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¶4. (SBU) Following interviews with the suspects, Philippine Commission on Human Rights (CHR) Commissioner Leila de Lima denounced the military's failure to provide access to legal

counsel and the blindfolding of suspects, a form of psychological torture under Philippine law. The CHR pledged to investigate all allegations of human rights abuses and violations of due process. Franklin Bucayu (protect), Chief of the PNP's Human Rights Affairs Office, also pledged to investigate any allegations of human right abuses on the part of the PNP, which arrested the suspects and turned them over to the AFP for questioning and detention.

BELATED RESPONSE TO HABEAS CORPUS ORDER  
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15. (SBU) On February 12, the AFP failed to comply with a Supreme Court order to produce the victims in response to a writ of habeas corpus, stating it has inadequate time to coordinate a secure transfer of the 43 from the detention center in Rizal to the Court of Appeals in Manila. The 43 were brought before the court on February 15, where government lawyers stood by the arrest of what they labeled a "super body" of NPA medics who treated wounded NPA soldiers in "clandestine clinics." The Court of Appeals of appeals is expected to rule on both the legality of the arrest and a petition to transfer the detainees to the Metro Manila area by the end of the week.

16. (SBU) COMMENT: The arrest of the 43 individuals has been highly controversial; extensive media coverage of the case has focused on each side's competing - and ever-changing - claims. The Embassy is concerned by reports of human rights abuses by government security forces and remains in close contact with the CHR, AFP, PNP, and human rights NGOs. While

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the facts of the case remain unclear, we believe our inquiries about the case signaled concern about public accusations of abuse. END COMMENT.  
BASSETT